



Issuance Date: March 24, 1995  
Effective Date: April 24, 1995  
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Modification Date: May 22, 1998

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
WASTE DISCHARGE PERMIT

State of Washington  
DEPARTMENT OF ECOLOGY  
Olympia, Washington 98504-7775

In compliance with the provisions of  
The State of Washington Water Pollution Control Law  
Chapter 90.48 Revised Code of Washington  
and  
The Federal Water Pollution Control Act  
(The Clean Water Act)  
Title 33 United States Code, Section 1251 et seq.

Mason County  
Department of Community Development  
Shelton, Washington

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Plant Location:

Chesapeake Drive, Lot 48  
Hartstene Pointe, WA

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Receiving Water:

Case Inlet  
(Puget Sound)

Water Body I.D. No.:

WA PS 0090

Discharge Location:

Latitude: 47° 17' 48" N  
Longitude: 122° 50' 38" W

Plant Type:

Activated Sludge (Sequencing Batch Reactor)

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is authorized to discharge in accordance with  
the special and general conditions which follow.

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Keli McKay-Means  
Southwest Region Manager  
Water Quality Programs  
Washington State Department of Ecology

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SUMMARY OF SCHEDULED PERMIT REPORT SUBMITTALS

Permit Section	Submittal	Frequency	First Submittal Date
S2.B.1 & 2	Biosolids (Sludge) Compliance	Annually	March 30, 1996
S3.A.	Discharge Monitoring Report	Monthly, no later than the 15th day of the month following the completed reporting period	May 15, 1995
S4.B.	Plan for maintaining adequate capacity	as necessary	* * * * *
S4.C.	Notification of new or altered sources	as necessary	* * * * *
S4.D.	Infiltration and Inflow Evaluation and Annual Assessment	Annually	January 1, 1996
S5.B.	Updated Operation and Maintenance Manual	as necessary	* * * * *
S5.D.	Notice of Short-term Reduction in Treatment Level	as necessary	* * * * *
S6.	Report on Construction- or Maintenance-related Bypass	as necessary	* * * * *
S7.C.	Residual Solids Management Plan	Required	Within 180 days from expiration
S8.	Outfall Evaluation	1/permit cycle	Within 180 days from expiration
S9.	Dechlorination Installation*	Required	March 24, 1998
G.17	Application for permit renewal	1/permit cycle	Within 180 days from expiration

\* Conditional upon installation of new outfall; see Special Condition S9.

## SPECIAL CONDITIONS

### S1. EFFLUENT LIMITATIONS

#### A. Effluent Limitations

Beginning on the effective date of this permit and lasting through the expiration date the Permittee is authorized to discharge municipal wastewater at the permitted location subject to the following limitations:

	EFFLUENT LIMITATIONS <sup>a</sup>	
Parameter	Average Monthly	Average Weekly
Biochemical Oxygen Demand <sup>b</sup> (5 day)	30.0 mg/L, 46.5 lbs/day	45.0 mg/L, 70.0 lbs/day
Total Suspended Solids <sup>b</sup>	30.0 mg/L, 46.5 lbs/day	45.0 mg/L, 70.0 lbs/day
Fecal Coliform Bacteria	200/100 mL	400/100 mL
pH	shall not be outside the range 6.0 to 9.0	
<sup>a</sup> The average monthly and weekly effluent limitations are based on the arithmetic mean of the samples taken with the exception of fecal coliform, which is based on the geometric mean. Use influent flow rates to calculate concentrations and mass limits.		
<sup>b</sup> The average monthly effluent concentration for BOD5 and Total Suspended Solids shall not exceed 30 mg/L or 15 percent of the respective monthly average influent concentrations, whichever is more stringent.		

#### B. Interim Total Residual Chlorine Limits

Total available (residual) chlorine shall be maintained which is sufficient to attain the Fecal Coliform limits specified above. Chlorine concentrations in excess of that necessary to reliably achieve these limits shall be avoided.

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C. Mixing Zone Descriptions

1. **Chronic**

- a. The maximum boundaries of the mixing zone is defined as extending in any horizontal direction from the discharge ports for a distance of 240 feet.
- b. Average maximum month flow rate of 0.186 mgd; 50 percentile current velocity of 0.085 m/s.
- c. Chronic mixing ratio: 192.7.

2. **Acute**

- a. The maximum boundaries of the mixing zones are defined and may extend in any horizontal direction from the discharge ports for a distance of 24 feet.
- b. Maximum discharge rate (decant @ 450 gpm) of 0.648 mgd; 10 percentile current velocity of 0 to 0.015 m/s.
- c. Acute mixing ratio: 28.3.

## S2. TESTING SCHEDULE

### A. Wastewater Compliance

The Permittee shall monitor the wastewater and sludge according to the following schedule:

Tests	Sample Point	Sampling Frequency	Sample Type
Flow, mgd	Influent; Final effluent	Continuous Decant cycle	Measurement Total per day <sup>b</sup>
pH	Final effluent	Daily	Grab
BOD <sub>5</sub>	Influent; Final effluent	1/week; 1/week	24-hr. composite
TSS	Influent; Final effluent	1/week; 1/week	24-hr. composite
Tot. Res. Cl <sub>2</sub>	Chlorinated effluent, Final effluent	Daily (7/week) <sup>c</sup> Daily (7/week)	Grab Grab
Fecal Coliform	Final effluent <sup>a</sup>	1/week	Grab
Temperature	Final effluent	Daily (7/week)	Grab
Rainfall	Gauge near plant	Daily (7/week)	24-hr measurement
<sup>a</sup> . The fecal coliform sample shall be taken concurrently with the chlorinated effluent sample. <sup>b</sup> . Report decant rate and time for the month and any changes made during month. <sup>c</sup> . Prior to the installation of dechlorination, chlorinated effluent and final effluent shall be considered as one sample point. After installation of dechlorination, sample as indicated.			

Wastewater samples shall be taken at the following locations:

1. Influent is sampled at the influent sampling station located at the facility headworks.
2. Chlorinated effluent is sampled at the end of chlorine contact tank No. 2 (prior to dechlorination).
3. Final effluent is sampled at the sampling station following dechlorination, immediately prior to discharge to the outfall line.

B. Biosolids (Sludge) Compliance

The Permittee shall, at a minimum, monitor the sludge according to the following schedule:

1. Sludge production shall be reported annually (by March 30, 1996) as all of the following:
  - a. The total equivalent dry weight produced (metric tons per 365 day period).
  - b. The volume (gallons or cubic feet) of sludge as it is removed from the treatment plant site for use or disposal.
  - c. The percent of solids as it leaves the treatment plant site. If the percent solids of the sludges leaving the site varies, report quantities for each whole number percent solids estimate.
2. Annually the Permittee shall, from a representative sample, determine compliance with state and 40 CFR 503 requirements for land application or disposal, for metals (Arsenic, Cadmium, Chromium, Copper, Lead, Mercury, Molybdenum, Nickel, Selenium, and Zinc), nitrogen (TKN, NH<sub>3</sub>-N, NO<sub>3</sub>-N), pathogen reduction, and vector attraction reduction.
3. The Permittee shall prepare and retain for five years the information and certification required under the recordkeeping requirements of 40 CFR 503 including the data required under S2.B3. above.

C. Process Control

The Permittee shall routinely monitor the wastewater and sludges for process control purposes as specified in the O & M Manual (see permit Condition S.5.B.). Recommended minimum process control monitoring is available from the Department.

S3. **MONITORING AND REPORTING**

The Permittee shall monitor and report in accordance with the following conditions.

A. Reporting

Monitoring results obtained during the previous month shall be summarized and reported on a form provided, or otherwise approved, by the Department, to be submitted no later than the 15th day of the month following the completed reporting period. The report(s) shall be sent to the Department of Ecology, Southwest Regional Office, Lacey, Washington 98504. Monitoring shall be started on the effective date of the permit and the first report is due on May 15, 1995.



B. Records Retention

The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years. The Permittee shall retain for a minimum of five (5) years all records pertaining to the monitoring of sludge. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Director.

C. Recording of Results

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place and time of sampling; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

D. Representative Sampling

Samples and measurements taken to meet the requirements of this permit shall be representative of the volume and nature of the monitored discharge, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets and maintenance-related conditions affecting effluent quality.

E. Test Procedures

All sampling and analytical methods used to meet the wastewater monitoring requirements specified in this permit shall conform to the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136, unless otherwise specified in this permit or approved in writing by the Department.

Sludge monitoring requirements specified in this permit shall be conducted according to test procedures specified in 40 CFR Part 503.

F. Flow Measurement

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements are consistent with the accepted industry standard for that type of device. Frequency of calibration shall be in conformance with manufacturer's recommendations, or at a minimum frequency of at least one calibration per year. Calibration records shall be retained for at least three years.

G. Laboratory Accreditation

All monitoring data, except for flow, temperature, settleable solids, conductivity, pH, and internal process control parameters, shall be prepared by a laboratory registered or accredited under the provisions of, Accreditation of Environmental Laboratories, Chapter 173-50 WAC. Conductivity and pH shall be accredited if the laboratory must otherwise be registered or accredited. Soils and hazardous waste data are exempted from this requirement pending accreditation of laboratories for analysis of these media by the Department.

H. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit (S2.) using test procedures specified by Condition S3.E. of this permit, then the results of this monitoring shall be included in the Permittee's self-monitoring reports.

I. Signatory Requirements

All applications, reports, or information submitted to the Department shall be signed and certified.

1. All permit applications shall be signed by either a principal executive officer or ranking elected official.
2. All reports required by this permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
  - a. The authorization is made in writing by a person described above and submitted to the Department, and
  - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)
3. Changes to authorization. If an authorization under paragraph I.2.b is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of I.2.b must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.

4. Certification. Any person signing a document under this section shall make the following certification:

"I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for willful violations."

J. Reporting - Shellfish Protection

Unauthorized discharges such as collection system overflows, plant bypasses, or failure of the disinfection system, shall be reported immediately to The Department of Ecology and the Department of Health, Shellfish Program. The Department of Ecology's Southwest Regional Office 24-hour number is (360) 407-6300, and the Department of Health's Shellfish 24-hour number is (360) 753-5992.

S4. PREVENTION OF FACILITY OVERLOADING

A. Design Criteria

Flows or waste loadings of the following design criteria for the permitted treatment facility shall not be exceeded.

Average flow for the maximum month:	0.186 mgd
Average dry weather flow:	0.097 mgd
Peak daily flow:	0.342 mgd
Influent BOD <sub>5</sub> loading for maximum month:	270 lbs/day
Influent TSS loading for maximum month:	270 lbs/day
Design population:	1350 people
BOD/TSS removal efficiency:	85% minimum

B. Plans for Maintaining Adequate Capacity

When the actual flow or wasteload reaches 85 percent of any one of the design criteria in S4.A. for three consecutive months, or when the projected increases would reach design capacity within five years, whichever occurs first, the Permittee shall submit to the Department, a plan and a schedule for continuing to maintain capacity at the facility sufficient to achieve the effluent limitations and other conditions of this permit. This plan shall address any of the following actions or any others necessary to meet this objective.

1. Analysis of the present design, including the introduction of any process modifications, that would establish the ability of the existing facility to achieve the effluent limits and other requirements of this permit at specific levels in excess of the existing design criteria specified in paragraph A above.

2. Reduction or elimination of excessive infiltration and inflow of uncontaminated ground and surface water into the sewer system.
3. Limitation on future sewer connections or wasteloads.
4. Modification or expansion of facilities necessary to accommodate increased flow or wasteload.

The plan must meet the requirements of WAC 173-240-060, "Engineering Report," and be approved by the Department prior to any construction. The plan shall specify any contracts, ordinances, methods for financing, or other arrangements necessary to achieve this objective.

C. Notification of New or Altered Sources

The Permittee shall submit written notice to the Department whenever any new discharge or increase in volume or change in character of an existing discharge into the sewer is proposed which: (1) would interfere with the operation of, or exceed the design capacity of, any portion of the collection or treatment system; (2) would increase the total system flow or influent waste loading by more than 10 percent; (3) is not part of an approved general sewer plan or approved plans and specifications; or would be subject to pretreatment standards under 40 CFR Part 403 and Section 307(b) of the Clean Water Act. This notice shall include an evaluation of the system's ability to adequately transport and treat the added flow and/or wasteload.

D. Infiltration and Inflow Evaluation

1. The Permittee shall conduct an infiltration and inflow evaluation. Refer to the U.S.EPA publication, *I/I Analysis and Project Certification*, available as Publication No. 97-03 at: Publications Office, Department of Ecology, PO Box 47600, Olympia, WA, 98504-7600. Plant monitoring records may be used to assess measurable infiltration and inflow.
2. A report shall be prepared which summarizes any measurable infiltration and inflow. If infiltration and inflow have increased by more than 15 percent from that found in the first report based on equivalent rainfall, the report shall contain a plan and a schedule for: (1) locating the sources of infiltration and inflow; and (2) correcting the problem.
3. The report shall be submitted by February 15, 1999, and annually thereafter.

E. Wasteload Assessment

The Permittee shall conduct an annual assessment of their flow and waste load and submit a report to the Department by February 15, 1999, and annually thereafter. The report shall contain the following: an indication of compliance or noncompliance with the permit effluent limitations; a comparison between the existing and design monthly

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average dry weather and wet weather flows, peak flows, BOD, and total suspended solids loadings; and (except for the first report) the percentage increase in these parameters since the last annual report. The report shall also state the present and design population or population equivalent, projected population growth rate, and the estimated date upon which the design capacity is projected to be reached, according to the most restrictive of the parameters above. The interval for review and reporting may be modified if the Department determines that a different frequency is sufficient.

S5. OPERATION AND MAINTENANCE OF MUNICIPAL FACILITIES

A. Certified Operator

In accordance with Chapter 173-230 WAC, the Permittee shall provide an adequate operating staff which is qualified to carry out the operation, maintenance, and testing activities required to ensure compliance with the conditions of this permit. An operator certified for a Class II plant by the State of Washington shall be in responsible charge of the day-to-day operation of the wastewater treatment plant. A Class II operator shall be present at the facility during all shifts when operational changes are made to the treatment process.

B. O & M Manual

The approved operation and maintenance manual shall be kept available at the treatment plant. The operation and maintenance manual shall contain the plant process control monitoring schedule. All operators are responsible for being familiar with, and using, this manual. The operation and maintenance manual shall be updated as needed. Updated portions of the operations and maintenance manual shall be submitted to the Department for review and approval.

C. O & M Program

The Permittee shall institute an adequate operation and maintenance program for their entire sewage system. Maintenance records shall be maintained on all major electrical and mechanical components of the treatment plant, as well as the sewage system and pumping stations. Such records shall clearly specify the frequency and type of maintenance recommended by the manufacturer and shall show the frequency and type of maintenance performed. These maintenance records shall be available for inspection at all times.

D. Short-term Reduction

If a Permittee contemplates a reduction in the level of treatment that would cause an exceedance of permit effluent limitations on a short-term basis for any reason, and such reduction cannot be avoided, the Permittee shall give written notification to the Department, if possible, 30 days prior to such activities, detailing the reasons for, length of time of and the potential effects of the reduced level of treatment. If such a reduction involves a bypass, the requirements of Conditions G5. and S6. apply.

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E. Emergency Power Source

The Permittee is responsible for maintaining adequate safeguards to prevent the discharge of untreated wastes or wastes not treated in accordance with the requirements of this permit during electrical power failure at the treatment plant and/or sewage lift stations either by means of alternate power sources, standby generator, or retention of inadequately treated wastes. Since the facility discharges into waters near shellfish beds, the Permittee shall maintain Reliability Class I at the wastewater treatment plant. Reliability Class I requires secondary treatment and disinfection. The emergency power shall be sufficient to operate all vital components and critical lighting and ventilation during peak wastewater flow conditions.

F. Prevent Connection of Inflow

The Permittee shall strictly enforce their sewer ordinances and not allow the connection of inflow (roof drains, foundation drains, etc.) to the sanitary sewer system.

S6. CONSTRUCTION OR MAINTENANCE-RELATED OVERFLOW OR BYPASS

Bypasses of untreated or partially treated sewage during construction or maintenance shall be avoided if at all feasible.

If a construction or maintenance-related overflow or bypass is contemplated, the Permittee shall submit to the Department, not less than 90 days prior to the contemplated overflow or bypass, a report which describes in detail any construction work which will result in overflow or bypass of wastewater. The report shall contain: (1) an analysis of all known alternatives which would eliminate, reduce, or mitigate the need for bypassing; (2) a cost-effectiveness analysis of alternatives including comparative resource damage assessment; (3) the minimum and maximum duration of bypass under each alternative; (4) a recommendation as to the preferred alternative for conducting the bypass; (5) the project date of bypass initiation; (6) a statement of compliance with SEPA; and (7) a request for a water quality modification, as provided for in WAC 173-201A-110.

For probable construction bypasses, the need to bypass is to be identified as early in the planning process as possible. The analysis required above shall be considered during preparation of the engineering report or facilities plan and plans and specifications and shall be included to the extent practical. In cases where the probable need to bypass is determined early, continued analysis is necessary up to and including the construction period in an effort to minimize or eliminate the bypass.

Final authorization to bypass may be granted after review of the above information, in accordance with General Condition G5. Authorization to bypass will be by administrative order.

S7. RESIDUAL SOLIDS

A. Residual Solids Handling

The Permittee shall handle, utilize, and dispose of all residual solids in such a manner as to prevent its entry into state ground or surface waters. Residual solids include screenings, grit, scum, sludge and other solid waste.

B. Leachate

The Permittee shall not allow leachate from its residual solids to enter state waters without providing all known, available and reasonable methods of treatment, nor allow such leachate to cause violations of the State Surface Water Quality Standards, Chapter 173-201A WAC, or the State Ground Water Quality Standards, Chapter 173-200 WAC. The Permittee shall apply for a permit or permit modification as may be required for such discharges to state ground or surface waters.

C. Residual Solids Management Plan

The Permittee shall submit a residual solids management plan to the Department with the application for permit renewal at least 180 days prior to expiration date of this permit. The plan shall explain disposal methods for residual solids generated at the treatment plant including screenings, grit, scum, and sludge. The plan shall include the name and location of any site where the Permittee transfers these residual solids for treatment and/or disposal.

The Permittee shall submit any modification to the plan to the Department for review.

S8. **OUTFALL EVALUATION**

The Permittee shall develop and implement a plan that allows the certification of currently decertified geoduck beds without decertification of additional commercial or recreational intertidal and subtidal shellfish beds prior to the issuance of subsequent permits.

The Permittee shall inspect the submerged portion of the outfall line and diffuser to document its integrity and continued function. By 180 days prior to expiration of permit, the inspection report shall be submitted to the Department. If conditions allow for a photographic verification, it shall be included in the report.

S9. **COMPLIANCE WITH CHLORINE WATER QUALITY – BASED LIMITATIONS**

A draft amendment to the engineering report reviewed by the Department of Ecology proposes to construct a new outfall in Pickering Passage. The impetus to construct a new outfall is because of the harvest of clams, not compliance with the state water quality standards. If the Permittee does not move the outfall the Permittee will be liable for a proposed economic clam harvest loss of \$34 million total or \$685,000 annually, based on 1993 data. The standing crop of these geoduck resources is estimated to be 4.66 million pounds.

The original Condition S9 required the Permittee to design, install and operate a dechlorination system unless a new outfall is designed and constructed that would eliminate the need for chlorine limitations. Dilution modeling and the reasonable potential analysis indicate water quality-based limitations for chlorine will not be required for the proposed outfall. Therefore, the need to dechlorinate is also not necessary with the new construction.

The timing for constructing a new outfall will depend upon the Permittee securing funding and the necessary permits. The Permittee is required to minimize the use of chlorine and still comply with the limitations for fecal coliform bacteria.

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## GENERAL CONDITIONS

### G1. DISCHARGE VIOLATIONS

All discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit. The discharge of any pollutant more frequently than, or at a concentration in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit.

### G2. PROPER OPERATION AND MAINTENANCE

The Permittee shall at all times properly operate and maintain all facilities and systems of collection, treatment, and control (and related appurtenances) which are installed or used by the Permittee for pollution control.

### G3. REDUCED PRODUCTION FOR COMPLIANCE

The Permittee, in order to maintain compliance with its permit, shall control production and/or all discharges upon reduction, loss, failure, or bypass of the treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

### G4. NONCOMPLIANCE NOTIFICATION

If for any reason, the Permittee does not comply with, or will be unable to comply with, any of the discharge limitations or other conditions specified in the permit, the Permittee shall, at a minimum, provide the Department with the following information:

- A. A description of the nature and cause of noncompliance, including the quantity and quality of any unauthorized waste discharges;
- B. The period of noncompliance, including exact dates and times and/or the anticipated time when the Permittee will return to compliance; and
- C. The steps taken, or to be taken, to reduce, eliminate, and prevent recurrence of the noncompliance.

In addition, the Permittee shall take immediate action to stop, contain, and clean up any unauthorized discharges and take all reasonable steps to minimize any adverse impacts to waters of the state and correct the problem. The Permittee shall notify the Department by telephone so that an investigation can be made to evaluate any resulting impacts and the corrective actions taken to determine if additional action should be taken.

In the case of any discharge subject to any applicable toxic pollutant effluent standard under Section 307(a) of the Clean Water Act, or which could constitute a threat to human health, welfare, or the environment, 40 CFR Part 122 requires that the information specified in Sections G4.A., G4.B., and G4.C., above, shall be provided not later than 24 hours from the time the Permittee becomes aware of the circumstances. If this information is provided orally, a written submission covering these points shall be provided within five days of the time the Permittee

becomes aware of the circumstances, unless the Department waives or extends this requirement on a case-by-case basis.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the conditions of this permit or the resulting liability for failure to comply.

**G5. BYPASS PROHIBITED**

The intentional bypass of wastes from all or any portion of a treatment works is prohibited unless the following four conditions are met:

- A. Bypass is: (1) unavoidable to prevent loss of life, personal injury, or severe property damage; or (2) necessary to perform construction or maintenance-related activities essential to meet the requirements of the Clean Water Act and authorized by administrative order;
- B. There are no feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, maintenance during normal periods of equipment down time, or temporary reduction or termination of production;
- C. The Permittee submits notice of an unanticipated bypass to the Department in accordance with Condition G4. Where the Permittee knows or should have known in advance of the need for a bypass, this prior notification shall be submitted for approval to the Department, if possible, at least 30 days before the date of bypass (or longer if specified in the special conditions);
- D. The bypass is allowed under conditions determined to be necessary by the Department to minimize any adverse effects. The public shall be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible.

"Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

After consideration of the factors above and the adverse effects of the proposed bypass, the Department will approve or deny the request. Approval of a request to bypass will be by administrative order under RCW 90.48.120.

**G6. RIGHT OF ENTRY**

The Permittee shall allow an authorized representative of the Department, upon the presentation of credentials and such other documents as may be required by law:

- A. To enter upon the premises where a discharge is located or where any records must be kept under the terms and conditions of this permit;

- B. To have access to and copy at reasonable times any records that must be kept under the terms of the permit;
- C. To inspect at reasonable times any monitoring equipment or method of monitoring required in the permit;
- D. To inspect at reasonable times any collection, treatment, pollution management, or discharge facilities; and
- E. To sample at reasonable times any discharge of pollutants.

G7. PERMIT MODIFICATIONS

The Permittee shall submit a new application or supplement to the previous application where facility expansions, production increases, or process modifications will (1) result in new or substantially increased discharges of pollutants or a change in the nature of the discharge of pollutants, or (2) violate the terms and conditions of this permit.

G8. PERMIT MODIFIED OR REVOKED

After notice and opportunity for public hearing, this permit may be modified, terminated, or revoked during its term for cause including, but not limited to, the following:

- A. Violation of any terms or conditions of the permit;
- B. Failure of the Permittee to disclose fully all relevant facts or misrepresentations of any relevant facts by the Permittee during the permit issuance process;
- C. A change in any condition that requires either a temporary or a permanent reduction or elimination of any discharge controlled by the permit;
- D. Information indicating that the permitted discharge poses a threat to human health or welfare;
- E. A change in ownership or control of the source; or
- F. Other causes listed in 40 CFR 122.62 and 122.64.

Permit modification, revocation and reissuance, or termination may be initiated by the Department or requested by any interested person.

G9. REPORTING A CAUSE FOR MODIFICATION

A Permittee who knows or has reason to believe that any activity has occurred or will occur which would constitute cause for modification or revocation and reissuance under Condition G8. or 40 CFR 122.62 must report such plans, or such information, to the Department so that a decision can be made on whether action to modify or revoke and reissue a permit will be required. The Department may then require submission of a new application. Submission of

such application does not relieve the Permittee of the duty to comply with the existing permit until it is modified or reissued.

G10. TOXIC POLLUTANTS

If any applicable toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Clean Water Act for a toxic pollutant and that standard or prohibition is more stringent than any limitation upon such pollutant in the permit, the Department shall institute proceedings to modify or revoke and reissue the permit to conform to the new toxic effluent standard or prohibition.

G11. PLAN REVIEW REQUIRED

Prior to constructing or modifying any wastewater control facilities, detailed plans shall be submitted to the Department for approval in accordance with Chapter 173-240 WAC. Facilities shall be constructed and operated in accordance with the approved plan.

G12. OTHER REQUIREMENTS OF 40 CFR

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this permit by reference.

G13. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in the permit shall be construed as excusing the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

G14. ADDITIONAL MONITORING

The Department may establish specific monitoring requirements in addition to those contained in this permit by administrative order or permit modification.

G15. REVOCATION FOR NONPAYMENT OF FEES

The Department may revoke this permit if the permit fees established under Chapter 173-224 WAC are not paid.

G16. REMOVED SUBSTANCES

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall not be resuspended or reintroduced to the final effluent stream for discharge to state waters.

G17. DUTY TO REAPPLY

The Permittee must reapply, for permit renewal, at least 180 days prior to the specified expiration date of this permit.